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Press Release
March 3, 2026
Four Pages

For Immediate Release

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Wayne County Prosecutor Kym Worthy's CIU Stipulates to Grant Relief and Moves the Court to Dismiss Charges

This Case was Investigated by Former DPD Homicide Investigator Barbara Simon

Introduction

Today, the Wayne County Prosecutor's Office, the Michigan Innocence Clinic, and the Cooley Innocence Project stipulated to vacate the conviction and sentence of George Calicut, Jr., 56. The charges against him were dismissed without prejudice by Wayne County 3rd Circuit Court Judge Bradley Cobb.

This is a grant of relief due to the actions of former Detroit Police Department (DPD) Investigator Barbara Simon during the investigation of the case that caused Mr. Calicut to be wrongfully convicted.

Prosecutor Kym Worthy said, "Our systematic review of Investigator Simon's cases are exhaustive and ongoing as I have stated many times. Valerie Newman and her team have been consistently working on these cases and more involving other DPD Homicide detectives. After reviewing the CIU's work in this case I agreed that relief should be granted.

"When the reliability of evidence used to secure a conviction is called into question, it is the prosecution's obligation to investigate and to determine whether the conviction was undermined in any significant way. Prosecutor Worthy agreed with our recommendation for relief as it reflects this office's unwavering commitment to the integrity of convictions and the credibility of the system, said WCPO CIU Director, and Deputy Chief Valerie Newman.

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Cooley Innocence Project Attorney for George Calicut, Jessa Webber, said, "We are pleased we were able to offer investigative resources, pursuant to a Kirk Bloodsworth Post-Conviction DNA Testing Grant in conjunction with Wayne County, which helped to play a small role in George Calicut's relief. Collaborations within the innocence community are vital, and we appreciated the opportunity to support the Michigan Innocence Clinic with this case."

"We are grateful to the Wayne County CIU for their commitment to reviewing instances of police misconduct and for their partnership in this case," said Michigan Innocence Clinic, Attorney for George Calicut, Olivia Vigiletti.

Facts

Virgie Perkins was murdered on March 10, 1999, with signs of strangulation and her throat cut in her home on Hartford street in Detroit. There were no eyewitnesses and no signs of forced entry. The knife used was located in the kitchen sink sitting in water and the contents of Perkins' purse were dumped on the floor. Perkins' husband noticed Perkins' cell phone was missing.

Police ran the phone records of the missing phone and noticed a call was made March 15 at 4:08 a.m. Police spoke to the recipient of that phone call who stated George Calicut was the one who called him.

On March 16, 1999, DPD Homicide officers approached Mr. Calicut at work about a stolen cell phone. Mr. Calicut confirmed that he had taken a cell phone from Lemuel Perkins, Jr., Mrs. Perkins's son. Mr. Calicut voluntarily went to police headquarters at 1300 Beaubien with the officers and signed a consent-to-search form authorizing DPD to retrieve the cell phone from his home.

After DPD officers recovered the cell phone, DPD Homicide Investigator Barbara Simon interviewed Mr. Calicut. There is no known audio or video recording of the interview. During this interview, Investigator Simon authored a four-page written statement.

According to this statement Mr. Calicut went to Mrs. Perkins's house at around 10:00 a.m., on the day of the murder, to borrow money to buy crack cocaine. When Mrs. Perkins said she didn't have any money, he choked her until she passed out, then cut her neck to make it look like someone had broken in. He rifled through her purse, stealing \$5 and a cell phone, before leaving the scene.

Evidence at Trial

At trial, the State's case relied entirely on two pieces of evidence: The written confession; and the discovery of a stolen cell phone in Mr. Calicut's possession. Inv. Simon testified that she authored the confession and that it was written in her own handwriting. An enlarged copy of the confession was presented to the jury on a posterboard. Mr. Calicut testified in his own defense, during which he maintained his innocence, denied the statements contained in the written statement, and explained that he had stolen a cell phone from Lemuel Perkins, Jr. There were no eyewitnesses or physical evidence linking Mr. Calicut to the crime. DNA testing was ordered but not performed.

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On October 8, 1999, the jury convicted Mr. Calicut of first-degree felony murder. Mr. Calicut was sentenced to life in prison without the possibility of parole.

Appellate History of the Case

On December 7, 2001, the Michigan Court of Appeals affirmed Mr. Calicut's conviction.

On July 29, 2002, the Michigan Supreme Court denied delayed leave to appeal.

Subsequently, Mr. Calicut filed a pro se Motion for Relief from Judgment, which was denied. The Michigan Court of Appeals affirmed, and the Michigan Supreme Court denied leave to appeal.

Mr. Calicut filed a pro se Petition for Writ of Habeas Corpus, which was denied. *See all case citations in the March 3, 2026, order of Judge Bradley Cobb.*

Michigan Innocence Clinic, Cooley Innocence Clinic and WCPO Conviction Integrity Unit's Review of Mr. Calicut's Case

In October of 2020, the Michigan Innocence Clinic (MIC) began investigating Mr. Calicut's case. Following their investigation, MIC submitted the case to the Wayne County Prosecutor's Office Conviction Integrity Unit (CIU). Mr. Calicut has maintained that Inv. Simon obtained a false confession during his trial, appeal, and his post-conviction litigation.

At the beginning of the interview, Inv. Simon told Mr. Calicut, who had no prior interactions with police, that she could help him by creating a statement that would reduce the charge to manslaughter, which would allow him to get a bond and go home.

Prior to Simon writing the statement, she told Mr. Calicut that, if he contacted an attorney, he would be charged with first-degree murder rather than manslaughter. Mr. Calicut testified he never read the statement prior to trial. She assured Mr. Calicut that signing the statement meant he would not spend the night in jail.

In the years following Mr. Calicut's conviction, investigation has revealed that Inv. Simon employed similar patterns of coercion in multiple other wrongful conviction cases. In those cases, Simon elicited false confessions through coercive tactics nearly identical to those used on Mr. Calicut. *See, e.g., People v Craighead, unpublished opinion of the Court of Appeals, issued October 28, 2021 (Docket No. 356393), 2021 WL 5027978)*

Mr. Calicut has always maintained that he took a phone from Lemuel Perkins, Jr.'s truck the day after the murder when Lemuel Perkins, Jr. came to his house. At trial, Inv. Simon agreed that Mr. Calicut told her he took a phone out of a vehicle. She admitted that this fact did not make it into the statement she wrote.

Further investigation revealed that Lemuel Perkins, Jr., had a documented history of stealing from his parents and had, in fact, stolen a cell phone from them at least once before. MIC and the CIU also found that Lemuel Perkins, Sr. ultimately reported two phones missing after Mrs. Perkins's death. Only one phone was found among Mr. Calicut's possessions.

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2025 DNA Testing by Bode Technology

In 2025, DNA testing was conducted at Bode Technology pursuant to a stipulation between MIC, Cooley Innocence Project (CIP), and the CIU. Mrs. Perkins's purse, along with a knife and knife sheath recovered from the crime scene, were submitted to the lab. Blood staining on the knife blade served as a reference sample for Mrs. Perkins. Male DNA on the knife handle and sheath were not suitable for comparison purposes. A mixture containing male DNA was obtained from Mrs. Perkins's purse. Bode Technology excluded Mr. Calicut as a possible contributor to the interpretable portion of the male DNA profile.

The Wayne County Prosecutor's Office and Mr. Calicut stipulate that there is reason to believe that, if the jury knew the information about Simon's pattern of coercion that resulted in false confessions, it is reasonably likely it would not have convicted Mr. Calicut in this case, as there was no other evidence tying him to the crime.

Grant of Relief and Dismissal of the Case Without Prejudice

Mr. Calicut has made the necessary showing for purposes of MCR 6.508(D)(2) that: (1) The evidence described above is newly discovered; (2) The evidence is not merely cumulative of that presented at trial; (3) Mr. Calicut could not have, through the exercise of reasonable diligence discovered the evidence before or at trial; and (4) The evidence may make a different result probable on retrial. See *People v Cress*, 468 Mich 678, 692; 664 NW2d 174 (2003).

Today, the Court found that no evidentiary hearing is necessary. MCR 6.508(B). The parties' stipulated facts allow for this Court to make an informed ruling that a grant of relief is warranted, and the case is dismissed without prejudice.

Conclusion

There will not be a re-trial in this case because there is no evidence connecting Mr. Calicut to the homicide except the now discredited statement taken by former Investigator Barbara Simon.

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